FOR MYSORE STATE

closed
NRF

Govt. Pr.—15—78 406—2-11-54.

H.E.L.A. (1954) Department.

(MS) SERIES.

Mh 45.48 cf

G.O. No. 3254 Health.

61

Dated the 2nd December 1954.

[Despatch Abstract]

Licence - Dangerous and Offensive trades - Mangalore Municipality - Extension of limits of port area - Contro over sanitation and trades - Exercising of - Request by the Municipal Council - Orders passed.

EXTRACT. HEALTH DEPARTMENT.

MEMORANDUM SUBMITTED TO THE HON'BLE
SRI A.B.SHETTY, MINISTER FOR HEALTH, GOVERNMENT OF MADRAS.

Minutes of the Minister for Health.

Secretary - Health.

Presented to me at the Municipal Office, Mangalore, where a reception was given to me on 1.7.53. Matters relating to the Health Department may be examined and put up early. Other matters may be remitted to the concerned Departments for necessary action and circulation to me before passing final orders.

A.B. Shetty,
3.7.53.

Extract of para 7.

Our Port area is beyond municipal limits. In the interest of Public Health we submit that the Municipality should be allowed to control the sanitation and D & C trades in that area.

-true copy-

37572

Health

The above extract may be given to Transport for necessary action.

K
10.7.53

WR
10/7/53

10/7/53

Health
T

Sub Licence – Dangerous & offensive trades – Mangalore Municipality – Port area – Enforcing of Control – Suggestions.

3/14/7

plg

Ref: Memorandum presented to the Minister for Health at the rest office, Mangalore dt 1.7.53.

Memo 37572/53-1-T Health dt 13/7

Dy 13/7

An extract from the Memorandum cited is forwarded to the D.P.H for urgent remarks. ~~Hence requested in Consultation with the Deputy Chief Health Officer.~~

VR 13/7/53

To The D.P.H (with an extract of 'X' only)

11/7/53

11.7.53

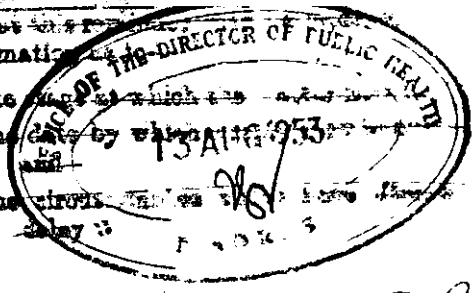
66272

From Health

To Health

To The Director of Public Health
Madras

Memo No. 37572/S3.1.T Health dated 13.7.53



From Secretariat

Station Fort St George

Dated 12.8.53

Signature Deputy Secretary to Govt

SUBJECT.

License Dangerous and Offensive Trades - Mangalore upty. Portan
Enforcing of Control --
certain suggestions

NDi 66272 – 1952(3), 53417[illegible]

37572/53

REPLY.

DEPUTY SECRETARY
19 AUG 1953
44782
Received in the Office

Deputy Secretary to Government
Health Department.

The remarks of the District Health Officer, South Kanara and the Municipal Health Officer, Mangalore have been called for and they are awaited. The Health Officers have been reminded. Reply to Government will be sent on hearing from them.

Health
T/3

N.R. 17/9/53

18/8/53
18.8.53

19/8

for Director of Public Health
16/8/53

1 7

From

Dr.K.S. Viswanathan, M.P.H.(HAR),
Director of Public Health,
Madras-10.

To

The Secretary to Government,
Health Department, Fort St.
George, Madras.

48133

L.Dis.58230-3 Hyg(3)53 dated 1-9-53.

Sir,

Sub:- Licence - Dangerous and Offensive Trades - Mangalore Municipality - Port area - Enforcing of control - Suggestions.

Ref:- Government Memo No.37572-53-I-T Health dated 13-7-53.

DEPUTY SECRETARY
8 SEP 1953
HEALTH DEPARTMENT

I am of opinion that the Mangalore Municipal Council may be allowed to control the sanitation and dangerous and offensive trades in the Port area.

Yours faithfully,

1.9.53

for Director of Public Health.

9

Health

To

Sub Licence - Dangerous and Offensive trades - Mangalore Municipality - Port area - Enforcing of Control over. certain Suggest

—x—

Ref. Memorandum presented to the Minister for Health at the Ml. office, Mangalore on 1-7-53

—x—

Memo 37572/53-4. T Health dt 16/9/53 the Ml. Commr, Mangalore is reques to furnish information on the followi

(1). how far is the Port area from the Mangalore Ml limits and what its extent is,

(2) Whether any other local authority or any advisory body is exercising Control over the Port area in matters relating to Sanitation etc as in the case of Visakhapatnam.

P.T.O.

(3) The probable annual income ~~of the mt ct~~ that the mt ct may derive from the Port Area (a) if it is allowed to Control Dcts trades in that area and (b) if the area is included within the municipal limits.

(4) whether extra expenditure will be involved to the ct if it is allowed to Control Sanitation etc in that area and if so how much will have to be expended on the basis of a rough estimate.

5) whether it is not desirable to extend the mt limits to the Port area if it is situated in close proximity to the mt limits and

6) how the Council will be justified in incurring expenditure in the Port area if it is not included in its jurisdiction.

9/9/53
19/9/53
NRP
16.9.53

SK 16/9

To the Commr Mangalore reply (thro' the Cmte)

ERdt 19/9

11

Health

T(3)

Sub Licence - D to trades — Mangalore Mpsty - Port area — Enforcing of Control over — Suggestions.

—x—

Ref: Memorandum presented to the Minister for Health at the ml office, Mangalore on 1-7-53.

—x—

Memo 37572/53-3.T Health dt 16/9/53

An extract from the Memorandum cited is forwarded to the State Port Officer for urgent remarks.

16/9

To The State Port Officer Madras. (with an extract of

15/9/53

16.9.53

16/9/53

13

From:
A.Mudic Esq.,
State Port Officer,
P.B.No.13,
Madras 1.

To:
The Secretary to Government,
Health Department,
Madras.

ADDL. ASST. SECRETARY TO GOVERNMENT
27 OCT 1953
PUBLIC WORKS DEPARTMENT

No.3422 G1/53-4 dated 26th October 1953

Sir,

Licence - Dangerous and offensive trades - Mangalore Municipality - Port area - Enforcing of control over - Suggestions - Government Memo No.37572/53-3 T. Health dated 16-9-53.

93301

-- pllante Upllante 15/10

With reference to the Government Memo cited, I forward herewith a copy of letter No.2273/53-1 dated 15-10-1953 received from the Port Officer, Mangalore on the above subject.

2. I agree with the Port Officer, Mangalore in his remarks in their entirety, that as at present obtaining, the port sanitation is well maintained and there is no necessity for Municipal intervention.

57293

SECRETARY
30 OCT 1953
HEALTH DEPARTMENT

Yours faithfully,

State Port Officer.

PW(G)

Health mo

PWD mo's AT/26.
93301 F/53-4
29.10.53

Ms 27.10.53 Pw 27.10.53

8/7

15.

From the Port Officer, Mangalore.
To the State Port Officer, Madras.
No.2873/53-1 dated 15-10-1953

Licences Dangerous and offensive trades - within port area - enforcing of control over - suggestion of Mangalore Municipality - remarks - State Port Officer's Endt.No.3422 G1/53-1 dated 22-9-53.

--

X The Mangalore Port area is now under the jurisdiction of the Port Health Officer who is also a Municipal Health Officer. All the Oil installations (Petrol, kerosene oil etc,) are on the south reclamation land of this department which has been declared as outside the Mangalore Municipal limits. The District Health Officer, South Kanara and the Inspector of Explosives, South Circle are regularly visiting these areas and if any irregularities found out are duly brought to the notice of this office. Separate wharves are allotted for landing and shipments of offensive trade such as fish and fish manure and dangerous goods such as petrol kerosene oil etc. This office is also having its own sweepers to keep these areas in sanitary condition. There are no fish godowns or any other godowns of offensive trade within the area except oil installations.

In the circumstances I do not consider it necessary that the Municipality should also have control to look after the sanitation within the port area.

(True Copy)

State Port Officer

57
28-11

37572/53

17
H&LA
H3

Sub: Licence - D.to. trades - Mangalor Municipality - Port area - Enforcing of control over - Certain suggestion

Ref: Govt Memo no. 37572/53.4.T Health dt 16.9.53.

Memo 37572/53.5 Health IV, dt 27.11.53.

The Commr Mangalore mpty is requested to state at what stage the matter now stands.

26/11/53

26/11/53

27/11/53

To the Commr,
Mangalore mpty
(thro the Cmr)

E3/22114/53. 715

Municipal Office, Mangalore,
Dated 10-12-1953.

From
Sri L. C. Richard, M.A.,
Commissioner,
Mangalore Municipality.

To
The Secretary to Government,
Health Department,
Madras.

Thro'
The Chairman, Municipal Council, Mangalore.

15063

Sir,

Sub: Licence - dangerous and offensive trades - Mangalore Municipality - port area - enforcing of control over certain information submitted.

Ref: Govt.Memo.No.37572/53-4-T, Health, dated 16-9-53.

Pp 9-10 ante

Pp 9-10 ante.

With reference to Government Memo.No.37572/53-4-T, Health dated 16-9-53, I submit herewith the particulars called for item-wise.

2 1 The Port area is contiguous with the municipal limits on the western and southern boundaries of the town. Extent of reclaimed Port area is 37 acres 4645 sq.ft.

2. There is a local Port Conservancy Board in which the municipality is represented by one of its councillors specifically for the purpose of sanitation etc.

3. The probable income that the municipal council may derive from the port area a) Rs.500/- if the municipality is allowed to control dangerous and offensive trades, b) Rs.3150/- if the area is included within municipal limits including the income under (a).

4. Rough estimate of the expenditure per annum:

1. Maintenance of roads	Rs.1,000
2. Lighting	Rs. 240
3. Health	Rs.1,920
Total	Rs.3,160

5, As the Port Area is situated in close proximity to municipal limits it is highly desirable to extend the municipal limits to the said area.

B 6. The municipal council will not be justified in incurring the expenditure if the Port Area is not included within municipal limits.

Forwarded

Chairman, M.C. 17/12

Commissioner

Copy to the Munidipal Health Officer for information.

S/14-12.Compd.

ASSISTANT SECRETARY TO GOVT. 19 DEC 1953 HEALTH, EDN. & LOCAL ADMN. DEPT.

24 HELA
HS

Any one draft is enough

Draft I

Sub: Port - Tuticorin Port -
Information regarding inclusion
of Port area within the Municipal limits.

Memo 37572/53-HS- dt. 22/3/54

The Chairman, Tuticorin Port Trust
is requested to state whether the
Port area is included in the Tuticorin
Municipal limits.

~~An early reply will be very much appreciated.~~

dt 25/3/54

To
The Chairman,
Tuticorin Port
Trust
Tuticorin.

dt 27/3/54 KWS
27-3-54

dt 29/3/54

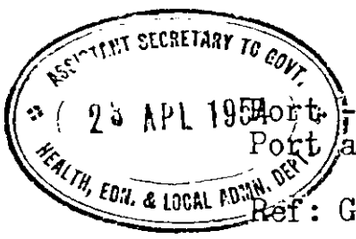
1/4/54

H5 23

302—25-3-42.

*Received*_____194 . *Registered*_____194

Subject.



Port - Tuticorin Port - Information regarding inclusion of Port area with-in the Municipal limits.

Ref: Government Memorandum No.37572/53-1-H-5, dated 22-3-54.

41399

P2 | Envie

Enclosures.
No.
Spare copies

No. 9/ 932 *Tuticorin, dated* 21st April, 1954. 194 .

From (Name) Sri V. K. C. Natarajan, M.A.,

Chairman, Port Trust,

To The Secretary to the Government of Madras,

Public Works (Marine) Department,

Health, Education and Local Administration **Madras.**

Department, Madras.

Sir,

P 2 | ante

With reference to the Government Memorandum cited above, I have to state that the limits of Tuticorin Port extend beyond Tuticorin Municipal limits. The Tuticorin Port foreshore area housing the wharves and piers for the conduct of landing and shipping operations and the Port Trust Office are however situated within Tuticorin Municipal limits.

Yours faithfully,

Natarajan 19/4/54

CHAIRMAN.

Very Urgent

P.W.D.(Fi).

Memo. no. 36757F/54-1 dt. 8-5-1954

Tuticorin Port Trust Area

from the CTPT letter no. 9/932 dt. 21.4.54 to the Secy. to Govt. HEZA Dept.

The C.T.P.T. is requested to report very urgently whether the control over the sanitation, and dangerous and offensive trades in the Tuticorin Port Area situated

(1) within the Municipal limits, and

(2) outside the Municipal limits

vest in the Port Trust Board and its health staff or whether such control vest in the Tuticorin Municipality.

2. It is presumed that the lands and buildings vested in the Port Trust and lying within the Municipal

limits are assessed to property taxes by the Municipality. The C.I.P.T. is requested to confirm the above presumption.

8/5/54.

8.5.54

8.5.54

10/5/54

To the C.I.P.T.

T1 2

P-W.D.(F)

Letter no. 36757 F/54-2 of 8-5-1954

To

The Chairman,
Madras Port Trust.
Madras.

Sir,

Sub: Madras Port Trust Area

It is understood that the limits of the Madras Port limits lie within the Madras city, and that the lands and buildings vested in the Board are assessed to property tax by the Corporation of Madras. I am directed to request to be informed whether control over the sanitation, and dangerous and offensive trades in the Port Area rest in the Madras Port-

P.T.O.

Z K

Trust Board and its Health staff, or whether each could work with the corporation of Nadcan.

DNS
8/5/54

8.5.54

8-5-54

40100

36757/54

25

302—25-3-43.

*Received*_____194 . *Registered*_____194 .

17 MAY 1954
PUBLIC WORKS DEPARTMENT

Subject. Control over the sanitation and dangerous and offensive trades in the Tuticorin Port Area.

P.W.

Ref: Government Memorandum No.36757-F/54-1, dated 8-5-1954.

---

pp 25-26a..n

ENCLOSURES.
No.
Spare copies

No. 9/1100 *Tuticorin, dated* 15th May, 1954. 194 .

From (Name) Sri V. K. C. Natarajan, M.A.,

Chairman, Port Trust,

To The Secretary to the Government of Madras,
Public Works (Marine) Department,
Madras.

Sir,

In reply to the Government Memorandum cited, I have to state that the control over the sanitation and dangerous and offensive trades in the Tuticorin Port Area both within and without Municipal limits vests in the Tuticorin Port Trust Board under sections 101, clauses 4 and 5 and 110 of the Tuticorin Port Trust Act, (Madras Act II of 1924)

The presumption of Government that the lands and buildings vested in the Port Trust and lying within the Municipal limits are assessed to property tax by the Municipality is correct.

PWD (F1)

Filed pending the receipt of the reply of the Madras Port Trust to the letter on pp. 23-24 ante.

17/5/54 18/5/54

Yours faithfully,

SECRETARY.

14/5/54

M. P. T. No. D. F. 14
50,000-4-3-53

31

MADRAS PORT TRUST

Madras, 1. 19th May *1954.*

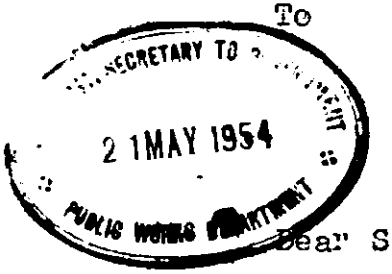
41373

From

No. G. 837

The Secretary.

To



The Secretary to the Government of
Madras,
Public Works Department,
Fort St. George, MADRAS.

Dear Sir,

Sub:- Madras Port Trust Area.

Ref:- Your letter No.36757F/54-2 dated the 8th May 1954.

pp 27-28 ante

The sanitation of the port is attended to by the port authority.

2. It is not clear what exactly you mean by "dangerous and offensive trades". I am to request you to elucidate.

Yours faithfully,

Secretary.

Enclosures.

ulle

33 P.W.D.(F

Letter no. 36757 F/54-3 dt 25-5-54.

26

To the Chairman,
Madras Port Trust,
Madras-1.

Sir,

Sub: Madras Port Trust Area.

p31 cf Ref: your letter no. G.837 dt 19-5-54.

I am directed to state that [the submission] dangerous and offensive trades requested to be carried through the Port in dangerous articles and goods like petrol, Kerosene oil, explosives etc. and offensive goods like fish, fish manure etc. A reference is in this connection invited to sub-sections (4) and (5) of

Pl. see p15 and p23 cf

24 54

(awaits section 103)

section 95 of the Madras Port Trust ... & Mr parties p...

Act 1905.

Bwl

23/5/54

m

24.5.54

y.f.

Ok

24/5/54

M. P. T. No. D. F. 14
70.000—12-3-54

35

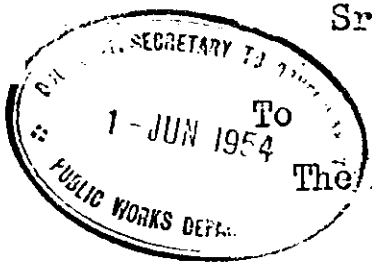
MADRAS PORT TRUST

Madras-1, 31st May 1954.

No.G. 1039.

From

Sri G. Venkateswara Ayyar, I.C.S.,
Chairman, Madras Port Trust.



To

The Assistant Secretary to the Government of Madras,
Public Works Department,
Fort St. George,
Madras.

44201

Dear Sir,

Madras Port Trust area.

pp 33-34 ante Reference:- Your letter No.36757 F/54-3 dated the 25th May 1954.

(R) I enclose a copy of the Regulations for the Port of Madras. Your attention is invited to By-laws 4, 4B, 5, 24, 24A and 29 of the Port Trust By-laws on pages 2 to 8 of the Regulations and to the Explosive rules and petroleum rules in Chapter VI which give the information required by you.

Enc: one book size one set 2 Copies

Yours faithfully,

Chairman.

37 HE(A)

HV

Letter 37572/58. 8. Health dt 7.7.58

HV

Reg

To

The Chairman,
Madras Port Trust
Madras 1.

Sub: Madras Port Trust Area —
Storage of goods enumerated
in Schedule II to the Mcm.
Act — Issue of licences by
the Corporation and control
over certain trades.

Ref:- your letter no. G-1039 dt 31-5-54.

With ref to the letter no 36757 F/54
P.W dt 8/5/54 requesting you

#2 38

to state whether control over dangerous and offensive trades in the Port Area vests in the Port Trust Board, you have invited the attention of the Govt to the By laws and to the Petroleum and Explosives rules. ~~It would appear that~~ Under Sec 287(1) of MCM Act, persons carrying on certain trades in goods enumerated in Schedule VI to the MCM Act are required to take out licences from the Corpn of Madras and that fees are levied by the Corporation on the people engaged in the trade. I am directed to request you to be informed whether the Madras Port Trust Board has got any exclusive control over such traders or over such trades or goods.

(R)

not pursue

AS may recollect that orders were recently issued on setting up the dispensary with the concurrence of the Corpn objection certificates from the Fire Service Dept in respect of goods stored in the Harbour premises and which are to be dealt with in the provisions of the Act

5.7.54

30/6/54

M. P. T. No D. F. 14
70,000—12-3-54

MADRAS PORT TRUST

39

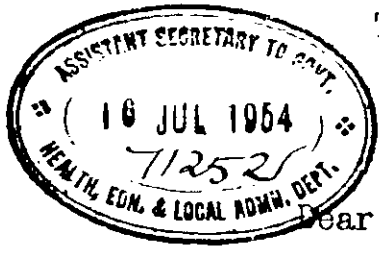
Madras-1, July *1954.*

No.G. 178/ From

Shri G. Venkateswara Ayyar, I.C.S.,
Chairman, Madras Port Trust.

To

The Secretary to the Government of Madras,
Health, Education and Local
Administration Department,
Fort St. George,
MADRAS.



Dear Sir,

Sub:- Madras Port Trust Area - Storage of goods enumerated in Schedule VI to the Madras City Municipal Act - Issue of licences by the Corporation and control over certain trades.

Ref:- Your letter No.37572 HV/53-8 Health, dated the 7th July 1954.

Under Section 287(1) of the Madras City Municipal Act, lessees of warehouses etc., in the Harbour are required to obtain licences from the Corporation of Madras for the storage of goods enumerated in Schedule VI to the Act. The Trust, has, thus no exclusive control over such traders or over such trades on goods.

Yours faithfully,

for Chairman.

37572/53

41/HELA
HP

70/18/8

Sub: Licence - Dato trades - Mangalore mpltg - Post area. Enforcing of control over.

Ref: From the Commr Mangalore mpltg. E3/22114/53 dt 10.12.53.

Memo 37572 IV/53-9-Health, dt 17/8/54

8/17/8

Under Sec 249 of the MDM Act read with Schedule V to the said Act a mpltg can control and regulate any dangerous and offensive trades specified in that schedule not only within its limits but also within a three mile belt area

p194/

p463 of M.C Vol III / Rule no 17

42

outside its limits with the previous sanction of the Govt. The Commr Mangalore mfty has not stated why ~~it is desirable to include~~ he considers that the Port area should be included within the Mfl limits. ~~It is presumed~~ He is requested to state whether any ~~that a~~ portion of the Port area falls outside the three mile belt from the Mfl limits and ~~that the Municipality~~ if so, the extent of the area lying outside the belt area may be specified. The D. and O.C ~~Cannot exercise control over such~~ in those areas. trades, if any, carried on in ~~trades~~ The Commr is requested to such area may also be mentioned. ~~Confirm whether the above presumption~~ is correct

16

17/8/54

6/8/54
MEP
16.8.54

To

The Commr.,
Mangalore Mfty,
thro/ C.M.C.

S/c. for file
ER dt 20/9/54

20 | X

From
Sri A.K.Raghavan,B.A.B.L.;
Commissioner,
Mangalore Municipality

* To
The Secretary to Government,
* Health, Education & Local Administration Department, Madras,
Thro'The Chairman,M.C. Mangalore.

SIR,

Ms. 25701/1954, dated 15th October 1954.

Sub:- Municipality - Mangalore Municipal limits - extension of along Port Lands - Certain information - submitted.

Ref. Government Memorandum No. 37572/HV/53-9, Health dated 17th August 1954.

41-42

I submit herewith the particulars called for in Government Memorandum cited above.

Though the Port Area is entirely situated within the 3 mile belt beyond the Municipal limits and any dangerous and offensive trades in such area can be regulated under the provisions of Madras District Municipalities Act, yet it is felt desirable to include the Port Area within the Municipal limits for by doing so the Municipality can not only have control over dangerous and offensive trades in that area but can also regulate future developments. Hence under the provisions of the District Municipalities Act and on the principles of Town Planning. Further the private owners of lands in Port Area enjoy the benefits of communication facilities and other civic amenities provided within the Town by the Municipality but are not liable for payment of property tax, building licence fees and other taxes unlike the rate-payers residing very close to such area.

The present Port lands which is proposed to be included in the municipal limits lie between the river and the Municipal limits. There are also lands between the river and the sea which are not proposed to be included in the municipal limits. The area between the river and the municipal limits lies in the port area and the developments can be controlled only if the same is brought into the municipal limits. No portion of the port area falls outside the 3 miles belt from the Municipal limits.

Commissioner,
Mangalore Municipality.

Forwarded.

Chairman,M.C. 17/10

h/16-10-54.compd.

16/10

45 HELA
HI

Sub: Licence D&o trades
Mangalore Municipality
Extension of limits to Port area
Control over sanitation + trades
Exercising of = Requests by
the Ml cl. Orders passed.

2/12

1145/2/12

Ref: Memorandum from the Ml cl dt 1-7-53 to the Minister for Health.

p1 of

p 7 of From the D.P.H Lr dis. 58230-3. Hyg (3) 7/53 dt 1-9-53

p 13 of From the State Port Officer, no 3422 G1/53-4, dt 26/10/53

p 19 of From the Commr, Mangalore mpty, E3/22114/53, dt 10/12/53

p 43 of From the Commr, Mangalore mpty, E3 25701/54 dt 15/x/54

—x—

Order (Ms) 3257 Health dt 2.12.54

In a memorandum submitted to the Minister for Health dated on 1-7-53 the Mangalore ml. cl requested among others that as the Mangalore Port area lying outside the municipal limits lies for the Municipality it was not possible to control sanitation and D&o trades and that in the interest of public health it should be allowed to

P.TO

control the sanitation and D&O trades in that area. The request of the Municipal council was carefully examined by the Govt in consultation with the D.P.H and the State Port Officer, Madras and they now pass the following orders:-

Mp 1 – 29 NF

(i) The extension of limits of the Municipality so as to include the port area is not very necessary. It is possible for the Municipality even now to exercise control over the D&O trades in the port area as the port itself is situated within the three mile belt outside the municipal limits

Sonp 25 NF & p29 NF

(ii) The control over sanitation in the Port area is vested now in the Mangalore Port Trust Board. The necessity for the Municipality to take over the duties of the Trust Board does not arise so long as there is a proper discharge of the above duties by the Trust Board. As the mil cl will be represented in the Trust Board by two of its nominees it can ensure through them that the duties are properly discharged by the Trust Board.

11 y/ onp 16 NF & para 4; p28 NF

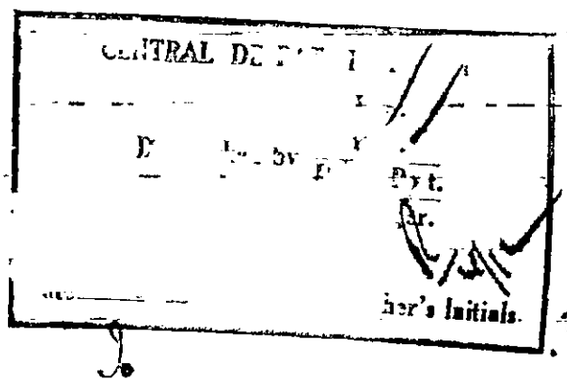
2 The Commr, Mangalore municipality

P.TO

...nspty may submit proposals separately for extension of the Mpl limits to the Port area if for and regulating purposes of controlling development taking place in the area (from the town planning point of view) and it is necessary to do so. The proposals may be sent thro' the Dir. of Tl. & Local Boards, the Inspr. and the D.T.P in due course.

Mr. dtd 23 cf

for reasons purely fiscal



29/11/54
TRP
29-11-54

30/54

To
The Commr,
Mangalore mpty
(Thro-the Core)
State Port Officer
" ~~D.T.P.~~ Madras
" D. P. H
Copy to " Inspr of ml cls
of Local Bds
" D.T.P
Copy to PWD
~~2~~
" LA (LE

Health
T.S.

Sub Licence – D+O trades – Mangalore mpsty – Post area – Enforcing of control – Suggestions

p1cf – Rep: Memorandum presented to M(H) by the Mangalore ml cl, dt 17.53
p3cf – Govt Memo no 37572/53-1.T Health dt 13/7/53
p7cf From the D.P.H Lrs 58230-3 Hyg (3)/53 dt 1.9.53

X —

An extract of parag 7, taken from the Memorandum presented to M(H) at 'X' on page 1 cf, the memo on p3cf and the DPH's reply on p7cf may be perused.

1 cm p1cf

2. It is stated that the Port area is beyond municipal limits and that in the interest of public health of the municip the cl should be allowed to control sanitation and the D+O trades in that area. The D.P.H agrees that the Mangalor ml cl may be allowed to do so. The following points arise for consideration

p7cf

(1) It is not known how far is the Port area from the Mangalore ml limits and what its extent is.

(2) Whether any other local authority or any advisory body is exercising Control over the Port area in matters relating to sanitation, as in the case of Vizagapatnam.

(3) Whether any extra expenditure will be involved to the ml cl if the cl is allowed to control sanitation etc in that area and if so, how much will have to be expended on the basis of a rough estimate.

P.T.O.

2

4) whether it is not desirable to extend the mfl limits to the Port area if it is situated at a shorter distance from the existing mfl limits and

(5) how the Cl will be justified in incurring expenditure in the Port area if it is not included in its jurisdiction

It seems information on the ~~point~~ above points will have to be obtained from the Mfl Commr before proceeding further. For orders.

L & A. and P.W may see for remarks if any before a draft is put up dealing

8/9/53 NRP 5-9-53

SAS 5.9.53

Health no 37572/53 A-1 dtd 5/9/53

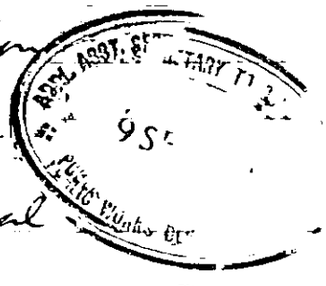
L.A. / P.W

Lit. Deptt A.

This Deptt may agree that the particulars referred to in the note of the Health Deptt above are necessary and may be called for. The file may be passed on to P.W as

8-9-53

in case of inclusion of the area within the mfl limits, the probable annual income of the Cl from the area may also be called for.



81268

9.9.

8/9/53 PW

LD No. 46062/53-1A

9.9.53

37572/53

Pw(71)

Please see the note on pp 1-2 ante. The Deptt may also agree that the particulars required to by the Health Deptt and L.A may be called for. The S.P.O may also be consulted in the matter.

(In this connection it may be mentioned that as Mangalore Port Trust will be constituted shortly at Mangalore Port by the Bill the coming Law Govt in control of the Port once with vest with the Port Trust Board.)

The file may be returned to Health

Vice 11.9.53 Pw 11.9.53

A

12/9/53 Health

PWD no WO 81268 P/53-1 14.9.53

Health T

SECRETARY 50341 15 SEP 1953 HEALTH DEPARTMENT

Please see the notes of L.A. and P.W. above. Two draft memoranda are submitted for approval.

15/9/53 NRP 16-9-53

SK 16/9

bp 9-10 cf [Issued as Memo no 37572/53-4.T Health dt 16.9.53]

p 11 cf [Issued as Memo no 37572/53-3.T Health dt, 16.9.53]

pp 13-15 cf From the State Port Officer, no 3422 G1/53-4 dt 26-x-53.

———x———

The memo on p 11 cf and the reply since received from the State Port Officer on pp 13-15 cf may be perused. Further action may be pursued in this case after the receipt of a reply from the Ld Commr Mangalore with ref to the memo on pp 9-10 cf. May be kept over till 18/11/53

30/10/53 NRP 30-10-53

SK 31/10

Issued as Memo no 37572/53. 5. Health V. — p 17 cf
From the Comm, Mangalore mpty, E3. 22114/53 dt 16-9-53 dt 10/12/53 p 19 cf

—X—

[Previous notes need not be read]

In a memorandum submitted to the Minister for Health by the Mangalore Municipal council on 1-7-53. it was requested, among others, that in the Port area, ~~which lies outside~~ beyond the Municipal limits, the Municipality should be allowed to control the sanitation and the D & O trades. With ref to the Minutes of M(H) at 'Y' on p ~~last~~ cf, the remarks of the D.P.H were called for in the matter. The D.P.H in his letter on p 7 cf expressed the view that the Mnl cl may be allowed to control the sanitation & D & O trades in the Port area.

Vide extract on p 1 cf

p 3 cf

2031

2 It was considered by this deptt that before issuing final orders in the matter certain other points ~~(which are quite relevant to the subject under exam ii)~~ should be considered. Hence information on the following points were called for from the Mnl comm

p 1 & 2 ptn

(1) How far is the Port area from the Mangalore mnl limits and what its extent is

(2) Whether any other local authority or any advisory body is exercising Control over the Port area in matters relating to sanitation etc.

(3) The probable annual income which the mnl cl may derive from the Port area

(a) if it is allowed to control D & O trades in that area and

(b) if the area is included within the Municipal limits.

(4) Whether extra expenditure will be involved

P.T.O

to the Mcl if it is allowed to control sanitation etc in that area and if so how much will have to be expended on the basis of a rough estimate.

(5) Whether it is not desirable to extend the Mcl limits to the Port area if it is situated in close proximity to the municipal limits,

And (6) how the Cl will be justified in incurring expenditure in the Port area if it is not included in its jurisdiction.

3. The remarks of the Mcl Commr, Mangalore on the above points are at pr 19 Cf. For purposes of ready reference the points and answers are tabulated below:-

Sno	Points	Answers.
(1)	How far is the Port area from the Mangalore mpl limits & what its extent is.	The Port area is Contiguous with Mcl limits on the West & Southern boundaries of the Town. Extent of Reclaimed Port area is 37 acres 4645 sq ft.
(2)	Whether any local authority or advisory body is exercising Control over the Port area in matters relating to Sanitation etc.	There is a local Port Consultative Board in which the Municipality is represented by one of its Councillors specifically for the purpose of sanitation etc
(3)	The probable income that the Mcl. cl may derive from the Port area (a) if it is allowed to Control D+o trades (b) if the area is included within the Mcl limits.	The probable income that the Mcl cl may derive from the Port area (a) Rs 500 (b) Rs 3,150 (inclusive of (a))
(4)	Whether extra expenditure will be involved to the Cl if it is allowed to Control Sanitation etc in that area and if so how much will have to be expended on the basis of a rough estimate.	Rs 1) Maintenance of roads 1000 2) Lighting 240 3) Health 1920 3,160

S.No	Points	Answers
(5)	Whether it is not desirable to extend the Ml limits to the Port area if it is situated in close proximity to the Ml limits.	As the Port area is situated in close proximity to ml limits it is highly desirable to extend the Ml limits to the said area.
(6)	How the ml cl will be justified in incurring expenditure in the Port area if it is not included in its jurisdiction.	The Ml cl will not be justified in incurring expenditure if the port area is not included within Ml limits.

4 It will be seen from the above remarks of the Ml Commr, Mangalore, that the Commr is in favour of the proposal for extension of the municipal limits on the Southern and western sides so as to include within its jurisdiction the entire Mangalore Port area which is stated to have been reclaimed only in part. ~~the anticipated rough income from the Port area will be just sufficient for meeting expenses such as on maintenance of roads, lighting and health in that Port area.~~

It is not clear from the remarks of the Ml. Commr with ref to point (1) above whether ~~the~~ the Mangalore Port area (which is lying in close proximity to the mangalore Ml limits on the western and Southern sides) falls within the three mile belt of the present Ml limits or not. As the Mangalore Ml cl is not at present exercising control over the D & O trades in the Mangalore Port area it will have to be presumed that the Port area falls outside the three mile belt. Attention is invited in this connection to Sec 249 of the MDA which lays down that

the m.l. cl may publish a notification that no place within m.l. limits or at a distance within three miles of such limits shall be used for any one or more of the purposes specified in Schedule V without the licence of the executive authority. If the port area has been lying within the three miles limit of the existing m.l. limits, then the M.L. cl could have taken action to control D&C there. In as much as the m.l. cl has now approached the Govt with a specific request in this regard, it has to be presumed, as stated at ⓟ ante, that the Port area falls outside the area of three miles from the existing m.l. limits. ~~However, to be on the safe side this presumption may be got confirmed.~~ ~~For orders.~~

'X' on p1 cf

5. The State Port Officer who was also consulted with ref to 'x' on p1 cf has not agreed to the request of the m.l. cl

p11 cf

p13 cf

Attention is invited to the remarks of the Port officer, Mangalore, on p. 15 cf and the endt of the state Port officer thereon on page 13 cf. It is seen from 'x' on p 15 cf that a portion of the Port area housing the oil installations has been declared as one falling outside the Mangalore m.l. limits.

In the circumstances that the proposal of the m.l. cl to extend the m.l. limits so as to enable it to control sanitation & D&C trades in the port area has not been agreed to by the State Port Officer, it seems necessary to consult the Insp. of m.l. cls at Local Board and the Coll. of South Kanara in the matter. ~~For orders.~~

5/1/54 ~~Subject to orders the case may be sent to P.W.D. for remarks.~~

There is already a proposal in the L.A. Branch to include some area in the M.L. limit - please see the memo at (5). It is also seen from the Note of P.W. Dept at P3 ante that legislation has been undertaken to Constitute

a Port Trust for Mangalore. This may therefore be transferred to L-A Branch to consider the proposals in this file & other relations in consultation with P.W.D. No separate action seems called for in view of the remarks of the State Port Officer on p 13 cf.

Sanitation and control of D.F.C. Trades in the Port area can be undertaken by the mcl. only when the mcpl. limits are extended to the Port area. This extension (or otherwise) is a matter for L-A Branch to consider, in consultation with Govt. (and other authorities). There seems to be already a proposal for some extension of the municipal limits. vide A memo at (5). This case may be transferred to the L-A Branch.

18-1-54

4/1/1954 AS 3

The question whether the Mangalore Port area should be included within the mcl. limits should first be settled after obtaining orders in Circulation in N.V. Sec. after which L.I. may take further action. Transfer at this stage is not accepted.

CG 21/1/54

AS 2 4/1/54

Summarising Note

Extracts ... p. 1 c/f

The Mangalore Municipal Council presented a Memorandum to the Minister for Health on 1.7.53 which contained a request among others, that the Municipality should be allowed to Control sanitation and dangerous & offensive trades in the Port area which lies outside Municipal limits. The matter was examined in Consultation with the D. P. H. and the State Port Officer, Madras. While the D. P. H. is inclined to agree to the proposal the State Port Officer has expressed himself against it. Attention is invited in this Connection to the report of the Port Officer Mangalore on p 15 c/f. The P. W Deptt who have seen the Case in September last have noted that a Port Trust will be constituted shortly at Mangalore Port when the Bill (which is already on the anvil) becomes a law and that the Control over the Port area will then be vested in the Board.

In the Circumstances the point for consideration in this file is whether the Mangalore Port area should be included within Municipal limits so as to enable the Mangalore mun cl to exercise control over sanitation and D & O trades in the Port area

The probable income that the Municipal council may derive from the Port area.

(a) if it is allowed to control D & O trade and (b) if the Port area is included within the Municipal limits

is estimated at

(a) Rs 500/-

(b) Rs 3150/- (inclusive of (a))

The probable extra expenditure that will be involved to the Municipal Council if it is allowed to Control sanitation, maintenance of

P.T.O

H5

roads, lighting etc is estimated at Rs. 3100/-
Orders are solicited on 'x' above

29/1/54 KM 29.1.54 4 30/1/54 DS.

Rev will please say whether the Port Trust refused to take Area 3 as it has been Constituted, if not when it is likely to be Constituted.

H 2/2/54

HELA
Rev Dept No 3757 2/53-6.1
Rev.(F.) 2/2/54

(This Dept's previous note on page 3 ante.)

The summarising note from page 9 ante may be perused. This Dept/Dept. may agree with the views of the Port Officer which is concurred in by the S.P.O.

With ref. to 'A' above, it is submitted that the Mangalore Port Trust Bill has since been passed into Law, and the several sections of the Act will be brought into force shortly. It is proposed to constitute the Port Trust at Mangalore sometime in June or July 1954.

The file may be returned to HELA.

M 3.2.54 HELA

DS 2/2/54 KM 3.2.54

pp 15/2/54 S

For Secy to the Govt. Law. (822641F/53)

B

ASSISTANT SECRETARY TO GOVT. 2-FEB 1954 PUBLIC WORKS DEPARTMENT

PWDU.O.No. 8545F/54.1
3.2.54.

HELA
HD

ASSISTANT SECRETARY TO GOVT. 4 FEB 1954 HEALTH, EDN. & LOCAL ADMN. DEPT.

Please see the Rev. note above. Orders

P.TO

11348

Orders are solicited on the front at 'x' on page 9 ante.

The summarising note from xxx on p 9 ante may be read. Pl. put up a copy of the Bill.

A.P.S 8/2/54 KMJ 8284 KLS 4/2/54 KS

A copy of the Mangalore Port Trust Act, 1954 is put up at flag (C).

8/2/54 KMJ 2. The properties vested in the Mangalore port Trust Board have been specified in the Schedule at page 34 of (C). It is ascertained from P.W Dept - also please see B on p 10 ante - that the notification under Section 2 of the Port Trust Act specifying the date or dates on which the Act is to come into force has not been issued by the Govt and that, as things stand at present, this notification is likely to be issued after 1-6-1954.

3 The file is submitted for orders on the notes summarized at pp 9-10 ante. After orders are passed, a note for circulation will be typed and submitted

R

KMJ 22.2.54 In view of a separate Statute for the Port Area the Municipal limits need not be extended to that area.

4/2/54 KS

Harbour of the Port area in Madras & the Mpls (Tuticorin) included in the Corporation Mpl limits

SAS 24/2/54

P.T.O.

AS's query on page Ante.

Submitted that ~~P.W. was no information is available in office~~ ~~information could be consulted from~~ no definite information is available in office. It may be called for from the concerned Port Trusts. ~~is for the clearing~~. A draft memorandum to the Chairman of the ~~Madras~~ Tuticorin Port Trust and a draft letter to the chairman of the ~~Madras~~ Port Trust are submitted for approval.

Pl: look up the admn reports of the Mfrs & Tuticorin Municipalities in respect of these two places, for information on the pt, if any.

27/2/54 KMS 27.2.54

(Madras is under the Corpn of Madras & Tuticorin is under the Corpn of Madras. Hence letter & memo)

AS's orders above

The administration Reports of the Tuticorin municipality and of the Corporation of Madras for 1952-53 were looked into. They do not throw sufficient light on the question ~~took notice in their case~~ raised at 'B' on p Ante..

The originals of GOs No 1207 (MS) LA dt 19.6.52 and No 1136 (MS) LA dated 7-6-52 in which the Govt ordered the redistribution and reclassification of certain wards of the Tuticorin and Mangalore Municipalities have been called for. Time till 15-3-54 may be granted for putting up the file. ~~If the required information cannot be obtained from those records, the drafts below may have to be issued~~

B 9/3/54 KMS 9.3.54

4 3 54
10 3 54

The GO below (GO(MS) no 1207 LA dt 19/6/52) does not throw sufficient light on the question raised at 'B' on p Ante.

There is no B on p Ante

H5

For orders as to the issue of the memo below.

NPS 15-3-54 KKS 15-3-54 The Madras Port area is included in Madras City limits. The lands and buildings vested in the Trustees of the Port of Madras are assessed to property tax by the Corporation of Madras. The proposed reference to the Chairman, Madras Port Trust is unnecessary.

C.R.G.
16-3-54.
G.L.James.
16-3-54.

C.N.
17-3-54.

With reference to D.S's query at p.11 ante, the answer is that Madras Port area is included in the City limits vide 'A' on the (pre.page) above If the position re. Tuticorin should be known, the reference below may issue. For orders.

K.S.
19-3-54.

I think, it is better, the information is obtained. V. quickly. This has been delayed V. badly.

S.A.S.
21-3-54.

P21C

(Issued as Memo.No.37572/53-1 H.5, dated 22-3-54).

...

The reply from the Chairman, Tuticorin Port Trust with reference to the O.M. on p.21 c.f. has not been received so far and he will be reminded on 8-4-54 if necessary.

N.P.S
2.4.54
KK.S
2.4.54.

4
3/4/54

From the chairman, Tuticorin Port Trust, no-9/932 dated 21.4.54

The Chairman, Tuticorin Port Trust has stated that the limits of the Tuticorin

P.T.O.

4

Port extend beyond Tuticorin Mpl limits and that the Port foreshore area housing the wharves and piers and the Port Trust office are situated within the Municipal limits.

2. With ref to D-s's query on p 11 ante the answer is that Tuticorin Port area is included in the municipal limits and so also the Madras Port Trust within the Corporation limits. ~~Cordons are solicited on the point at Corporate~~. Attention is invited to the remarks of H.S on Page 11 ante (Portion R) Submitted for orders.

P 23 C/f

A on P 1 ante

K

26/4/54 KM 30/4/54

4
1/5/54

So Mayavaram D.T. can also be included in Mpl limits. Pw may please see again before Circulation

SAS
3.5.54

Pw

PWD(F1)

HEA
37572/53.7-Health
5/5/54

This Depts. previous note on p 10 ante. Before the remarks of this Dept are added, it appears desirable that some particulars in regard to the procedure in vogue in the Tuticorin and Nadiman Ports are obtained. Drafts below are for approval.

36757

M
8.5.54

RNB
8/5/54.

OL
8.5.54.

P.W.D. (F1)

pp 25-26 c/f Ref: – To the C.T. P.T. Memo.No.36757/54-1 dated 8-5-54.

pp 27-28 c/f – To the Chairman, Madras Port Trust, Letter No.36757F/54-2 dated 8-5-54.

p 29 c/f – From the C.T. P.T. Letter No.9/1100 dated 15-5-54.

p 31 c/f – From the Secretary, Madras Port Trust, Letter No.G.837 dated 19-5-54.

pp 33-34 c/f – To the Chairman, Madras Port Trust, Letter No.36757 F/54-3 dated 25-5-54.

p 35 c/f – From the Chairman, Madras Port Trust, Letter No. G.1039 dated 31-5-54.

This Department's previous note on p.10 ante. Further notes from p.10 ante may be perused.

Please see 'A' on p 10 and 'B' on p 17 c/f

The file relates to the question of extending the limits of the Mangalore Municipality to the Mangalore Port Area in order to enable the Municipality to control the sanitation, and the dangerous and offensive trades in that area.

× p 13 c/f
@ p 15 c/f

The State Port Officer who was referred to in the matter agreed with the Port Officer@, Mangalore, that as at present obtaining, the Port sanitation is well maintained by the Port authorities, and that there is no necessity for Municipal intervention. This Department agreed with this recommendation.

Pl see 'S' on p 10 ante

But H.E.L.A. Department, consider that on the analogy of the fact that the Port areas at Madras and Tuticorin are included within the Municipal limits, the Port area at Mangalore could also be included within the Mangalore Municipal limits.

'on p 16 ante

In this connection it is submitted that no papers are readily available which could clearly show whether the Port areas at Madras and Tuticorin were included in the Municipal limits subsequent to their (Ports') formation, or whether the Ports when they were formed included areas already included in the Municipal limits. The fact that the Port area at Tuticorin includes areas within and without

'I see
r 2 c/f

the Municipal limits would appear to show that the Municipal limits were not extended to the Port area, but that when the Port was formed, it included areas both within and without the Municipal limits.

The question of including any particular area within Municipal limit for the purpose of controlling sanitation, and dangerous and offensive Trades in such areas, would arise only when sanitation etc. in that area is not being properly attended to. It will be observed from a reference to the Mangalore Port Officer's letter on p.15 c.f. that the sanitation, and dangerous and offensive Trades at the Port are being properly attended to and that there has been no complaint in this regard. A Port Trust is to be constituted at Mangalore with effect from 1-7-54, under the provisions of the Mangalore Port Trust Act, 1953. Under section 101 and 110 of the Act, the control over sanitation and dangerous and offensive trades at the Port vests in the Mangalore Port Trust Board, and the necessity for Municipal intervention does not arise. The Municipality cannot have also such control unless the Act is amended to provide for it. The Municipal Council will be represented on the Port Trust Board by two of its nominees and they can ensure that the sanitation, and dangerous and offensive Trades in the area are properly controlled.

It will be observed from a reference to pp.25-35 c.f. that though the Port areas lie within the Municipal limits, the control of the sanitation, and dangerous and offensive Trades at the Tuticorin and Madras Ports vests only in the respective Port Trust Boards and that the Tuticorin Municipality or the Madras Corporation have no control over such matters.

In the circumstances, this Department may

reiterate their original suggestion that the proposal to extend the limits of the Mangalore Municipality to the Port area may be dropped.

The file may be returned to HELA Department.

(HELA Department may be requested to return the Book at (R) to this Department in due course.)

12/6/54

12.6.54

PWD U.O. No. 36757 F/54-4
14.6.54.

SECRETARY TO G
60243
15 JUN 1954
LOCAL ADMN. DEPT.

Please see the note of the P.W Deptt above. It would appear from 'A' on page 16 ante that the Corporation of Madras does not seem to be exercising any control over the Dealers in the Port area. In another connection in the matter of issue of 'no objection certificate' by the fire services Deptt in regard to storage of goods enumerated in Schedule VI to the Act within the Harbour premises the Chairman Madras Port Trust addressed the Govt to amend the executive orders issued by the Govt ~~in this behalf~~ to the effect that no objection certificates issued by the Port Fire Officer may be accepted by the C.C.M as valid. It would seem that certain trades in articles enumerated in the said

P.T.O

18

Still
schedule are licensable under the provisions of the M C M Act. The Chairman, Madras Port Trust may be consulted specifically on this point.

Draft letter below is for.

8
1/7/54
NSP
3.7.54

Ug
5/54

SA
6/7/54

Previous notes need not be read

[Issued as letter no. 37572 4/53-8 Health dt 7-7-54] pp 37 38 C

From the Chairman, Madras Port Trust, p 39 C
letter no G/1781 dated 15-7-54.

—x—

The file relates to the question of extending the limits of the Mangalore Municipality to Mangalore Port Area in order to enable the municipality to control the sanitation and the dangerous and offensive trades in that area. Vide extract on p 1 C

The question of extending the limits of the Mangalore Municipality so as include within its jurisdiction the Port Area arose from a request made to the Minister for Health by the Mangalore M.L.A. in its memorandum dt 1-7-53. p 1 C 'X' + Y on p 1 C

P TO

The council desires, to exercise control over sanitation and dangerous and offensive trades in the Port area which now lies outside its limits. The question has already been examined in consultation with the D.P.T and the State Post Office. While the former is inclined to agree to the proposal, the latter has expressed himself against it. This dept considered that on the analogy of the fact that the Port areas at Madras and Tuticorin are included within the Corporation and Municipal limits, that the Port area at Mangalore might also be included within the Mangalore Mpl limits. P.W. have adhered to their original suggestion that the proposal to extend the limits of the Mangalore Mpty may be dropped for the following reasons.

(1) The proposal for inclusion of any particular area within a Mpl limit for purposes of controlling sanitation, dangerous and offensive trades in such area, will arise only when sanitation etc in that area is not being properly attended to. In view of the fact that these matters are properly attended to by the Port authorities (without any complaint from

P.T.O

any body so far there is no need to pursue the ~~matter~~ proposal,

(2) The control over sanitation & D+O trades at the Port vests in the Mangalore Port Trust Board and the necessity for mcl intervention does not arise. If the mcl is to exercise any such control over these matters, the Port Trust Act has to be amended. An amendment may not be necessary since the mcl will be represented in the Port Trust Board by two of its nominees who can ensure that these matters are properly controlled, and

'B' Ex. Memo

(3) Although the Port areas lie within the mcl limits, the Control over sanitation and D+O trades at Tuticorin & Madras Ports vests only in the respective Port Trust Boards and that the Tuticorin M/cty and the Madras Corporation have no control over such matters.

'A' ow pleadings

3 The reasons (1) and (2) enumerated above, seem to be no doubt sound. The third reason advanced does not appear to be tenable. It has since been ascertained from the Chairman, Madras Port Trust whether the Trust has any exclusive control over D+O trades (trades in articles enumerated

[illegible] 37-38 of

in Schedule VI to the MC M Act.
or over such traders. The Madras Port chairman
p394/ Trust has reported that the Trust
has no exclusive control over
such trades or dealers in such
trades and that the Corporation
Commr is issuing licences for the
storage of the goods (enumerated in
the said schedule) in the warehouse
located within the Madras harbour area
On the analogy of the fact that the
Madras Port Trust Board is not
p394/ exercising any control over the
D+O trades, the Mangalore ml cl
can also be allowed to exercise
(Licensable trades under sec 24 read with Sch V to the MC M Act) M | Mangalore Control over D+O trades in the
Port area (after inclusion of the
Port area within the ml limits)
there seems to no objection in
allowing this. The control over
the sanitation may however be continued
to be vested in the Mangalore Trust
Board as hitherto. For orders/sanction
~~Mr Labour~~
4 Subject to orders the case may
be sent to P.W for remarks before
Circulation.

31/7/54 M above - Does the control
NRP over D+O trades by the
3-8-54 municipality in the Port
area necessitate the

inclusion of the area in the municipality
Ref is, should the area be necessarily
included in the Municipality for the exercise of
control over D&C Trades? Pl. examine this point.

4
4/37

A.S's queries above. Submitted.

Persons who intend or propose
to use any place or premises within the
ml limits or at a distance
within three miles of such limits for any one
or more of the purposes specified in schedule V,
are required to take out a licence
from the executive authority of a
Municipality under sec 249 of the
KD M Act. A mpty can therefore
control and regulate any
dangerous or offensive trade not
only within its limits but also within a three mile
belt of area outside its limits with the previous sanction of the Govt.
It is stated by the Ml Commr
on p19 of that the Mangalore Port area
is situated in close proximity —
(contiguous with the ml limits on the
western and southern boundaries
of the town). If the entire port
area is within the three mile
belt outside the ml limits, the
mpty can even now exercise control over the

Vide sec 249 of the KD M Act, read in sche V

para 5, p19 of

'Z' on p19 of

P.T.O.

with the sanction of the Govt

Dto trades. Evidently a portion of the Post area ~~does~~ falls outside the three mile belt. It is perhaps for this reason that the Ml. Commr, Mangalore considers it desirable to extend the ml limits to the ~~not~~ post area. As the above facts are not free* from doubt it is for consideration whether the ml comm may be addressed specifically

Subject to orders a draft memo is submitted for approval

16/8/54 — 16.8.54

1734

if it is 'evidently', then there is no * on need for a reference to it as said it begins mfl limits'.

1734

vide * on p1 cf

1734

pp41-42 cf [Issued as Memo no 37572 HP/58-9. Health dt 17.8.54]

p43 cf

From the Ml. Commr, Mangalore, Eb. 25701/54, dt 15/x/54.

———x———

Attention is invited to the Summarising note on pages 18-21 ante, A.S.'s query on pages 21-22 ante, further notes on pages 22-23 ante, the memo to the Commr, Mangalore mfly on pages 41-42 cf and his reply thereto on p43 cf.

2. The Commr, Mangalore

P.T.O.

has now
Mpty. stated that the Port area is situated within the three mile belt outside the municipal limits. He has also stated the reasons why it was felt desirable to include the port area within the ml limits. It would seem from the Municipal commissioners reply that the proposal for the inclusion of the Port area within the ml limits was, but for the more for reasons of augmenting the finances of the mpty than for exercising control over D&o trades, sanitation etc. Para 2 of the Commr's letter also reveals that the present proposal of the Mlcl is not to include the entire port lands within the limits of the Municipality but only a portion of the Port lands. As it is possible for the mpty even now to exercise control over the D&o trades in the Port area under the provisions of the Act without necessarily including the Port area within its limits, it does not seem necessary, especially in view of the reasons adduced by P.W.Deptt on p16 ante, to comply with the request of the Mlcl.

2. If, however, it is felt that the

K'on p43c

vide para 1, p43c.

M on p43c.

(vij ex Fasc. of Mlc Cover p. 1 to 1

D TO

extension of mil limits is necessary for reasons stated at 'M' on p43c/ d.A. branch maybe requested to pursue the question while examining the proposals (called for by them in the memo at (S).

A

27/10/54 4 Subject to orders, P.W. may see for further remarks..

28.10.54

H.E.L.A. (L.I)

The proposals referred to at (A) above relate to the inclusion of a Town planning scheme area, in the Mlty ~~or~~ the final notification in this regard will be issued shortly. If it is eventually decided to include the post area, also in the Mlty, Health Branch may send relevent extracts from the file to this branch for separate action.

See 'A' & 'M' on the prev: page.

2/11/54

So far as control of DTC Trades is concerned no extension of the Mlty limits so as to include Post Area within its limits is necessary

4/11

4/11/54

AS/3

6/11/54

5/11/54

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86225

HEL/Aro 37572 HII/58.10.-Health

6/11/54

STATE GOVERNMENT

8 NOV 1954

PUBLIC WORKS DEPARTMENT

PWD (FI)

This Deptt's previous note on pp 15-17 ante. Re-the proposals HELA Deptt on pp 17-25 ante may be perused and the file returned to HELA Deptt (Rah Deptt have agreed to the suggestion of this Deptt that it is not necessary to extend the limits of the Mangalore Municipality to include the Mangalore Post Area also.

M
11.11.54 HELA

DMS
5/11/54

Ld
11.11.54

PWD U.O.No. E
86225 F/54-1
11.11.54

ASSISTANT SECRETARY TO GOVT. HEALTH
1/3/13
12 NOV 1954

HELA
HD

[Previous notes need not be read]

The case relates to the question of extending the limits of the Mangalore Municipality to Mangalore Post area so as to enable the Municipality to Control sanitation and dangerous and offensive trades in that area.

Vide 'X' on p/f

2. The facts of the Case are briefly as follows

In a memorandum submitted by the Mangalore Municipal on 1.7.53 to H (H), the Council represented that the Post area lies outside the

'X' on p/f

D-TD

Municipal limits and that in the interest of public health the Municipal Council should be allowed to Control the sanitation and Dangerous and offensive trades in that area. The question was examined in Consultation with the D.P. H and the State Port Officer. While the former agreed to the proposal the latter expressed himself against it.

3. The Govt have examined the question whether for exercising Control over dangerous and offensive trades by the Municipality in the Port area, the inclusion of the area within its limits is absolutely necessary. As under section 249 of the MDM Act, a Municipality can insist on persons (who intend or propose to use any place or premises within the mil limits or at a distance within three miles of such limits for any one or more of the purposes specified in Schedule V) taking out a licence and as the Mangalore Port area is situated within the three mile belt outside the Mangalore municipal limits, it is observed

that without necessarily extending the limits of the Municipality to the Port area, the Mangalore Municipality can effectively control dangerous and offensive trades in the Port area. As the proposal to extend the limits of the Municipality to the Port area has been put forward more for reasons of augmenting the finances of the Municipality than for in the interest of public health, this dept now propose to inform the Municipal council that the extension of the limits proposed is not necessary.

4 As regards the request of the M.C. that it should be allowed to control sanitation etc in the Port area (after the extension of its limits) P.W.D have observed that the control over sanitation in the Port area is already vested in the Mangalore Port Trust Board and that the necessity for M.C. intervention does not arise. If the Municipal council is to exercise any such control in the area, the Port Trust Act has to be amended. An amendment to the Act will not be necessary since the council will be represented

Manpuzhi

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Pl have

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P.T.O.

37522/53

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--- in the Board by two of its nominees who can ensure that these matters are properly controlled. In the circumstances they do not recommend the proposal of the council for extension of its limits for orders whether the cl may be informed accordingly.

5 Orders may be obtained in circular whether in the circumstances explained in paragraphs 3 and 4 above, the request of the Mangalore mfl cl for extension of its limits to the Port area may be turned down and whether the council may be informed that it can control Dkg trades without extending the municipal limits.

22.11.54

23.11.54

E.A. Sibham
24.11.54

26/11

I(H)

A draft order is submitted below for approval.

29/11/54

30/11

1/12